

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PAUL McANDREW GRAHAM, III, #1998535
Plaintiff :

v. : CIVIL ACTION NO. CCB-07-2667

REPUBLICANS IN HOWARD COUNTY :
DISTRICT COURT OF THE STATE OF
MARYLAND :
Defendant

MEMORANDUM

On October 2, 2007, Paul Graham, currently detained at the Central Booking and Intake Facility in Baltimore City, filed a pro se action docketed as a civil rights complaint filed pursuant to 42 U.S.C. § 1983.¹ His request for leave to proceed in forma pauperis, contained in the complaint, shall be granted.

Although not a model of clarity, the complaint suggests that Graham believes a motion requesting a speedy trial was improperly denied by a state court located in Howard County, Maryland. He suggests that fewer people would be imprisoned if there were more community mental health facilities Paper No. 1.

To the extent Graham wishes to contest the denial of a speedy trial motion, he may do so by seeking habeas corpus relief in this court after completion of his criminal case, appeal, and/or post-conviction remedies. To the extent he seeks damages against the presiding judge in that case, his claim fails. Judicial officers are immune from liability for judicial acts unless done in the clear absence of all jurisdiction, even if those acts were erroneous or malicious and exceeded authority. *See Stump v. Sparkman*, 435 U.S. 349, 356 (1987); *Chu v. Griffith*, 771 F.2d 79 (4th Cir. 1985).

¹Plaintiff does not specify the type of damages he seeks.

Rulings concerning speedy trial issues are clearly judicial determinations properly made by state court judges in criminal matters. Accordingly, a separate order shall be entered dismissing the complaint and closing this case.

October 15, 2007
Date

/s/
Catherine C. Blake
United States District Court